

AMENDED IN ASSEMBLY JUNE 14, 2001

AMENDED IN SENATE JUNE 5, 2001

AMENDED IN SENATE JUNE 4, 2001

AMENDED IN SENATE MAY 3, 2001

AMENDED IN SENATE APRIL 23, 2001

AMENDED IN SENATE APRIL 16, 2001

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**SENATE BILL**

**No. 508**

**Introduced by Senators Vasconcellos and McPherson**

**(Principal coauthor: Senator Polanco)**

**(Coauthors: Senators Alpert, Chesbro, Karnette, O'Connell,  
Scott, Sher, and Vincent)**

**(Coauthors: Assembly Members Steinberg and Strom-Martin)**

February 22, 2001

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An act to amend Sections 44395, 44735, 51122, 52904, 69532, and 69613.5 of, to add Sections 17587.1, 51134, 51144, and 99227 to, to add Chapter 1.5 (commencing with Section 100) to Part 1 of, Article 7.6 (commencing with Section 44579.5) to Chapter 3 of Part 25 of, Article 8.5 (commencing with Section 44592) to Chapter 3 of Part 25 of, Article 10.2 (commencing with Section 44643.5) to Chapter 3 of Part 25 of, and to add Article 10 (commencing with Section 54770) to Chapter 9 of Part 29 of, the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

SB 508, as amended, Vasconcellos. Education: pupils.

(1) Existing law established various programs designed to improve the academic achievement of pupils, including, among others, the

Public Schools Accountability Act of 1999. Under existing law, various programs are established that are designed to assist disadvantaged pupils, including, among others, the compensatory education programs for disadvantaged children.

This bill would enact the California Unrealized Learners Advancement Act of 2001, in which a school that fails to meet its API growth target, has an API score that is below the 50th percentile relative to all other public elementary, middle, or high schools, and has applied to participate in the Immediate Intervention/Underperforming Schools Program would be eligible to participate.

The bill would provide that the Superintendent of Public Instruction would be responsible for, among other things, identifying and evaluating existing programs that are successful in mentoring children and youth and in helping them to achieve academic success and to distribute information on successful programs to school districts on a regular basis. The bill would require the Superintendent of Public Instruction to develop guidelines and recommendations for school districts to use in establishing a mentoring program to assure that every low-performing pupil is provided a personal mentor.

The bill would require the Governor, the Superintendent of Public Instruction, and the Legislature to develop a multiyear plan to increasingly align educational resources and funding to ensure that all pupils have an equal opportunity for educational success and would require the State Department of Education, in consultation with other appropriate state agencies, to develop guidelines for measuring equal opportunity and to include information pertaining to certain issues within those guidelines. The bill would require the Superintendent of Public Instruction to report annually, based on the information available, to the Legislature and the public, on the status of equal opportunity for success in California's public schools.

(2) Under existing law, the State Allocation Board is required to apportion, from the State School Deferred Maintenance Fund, to school districts, an amount equal to \$1 for each \$1 of local funds, up to a specified maximum, of the total expenditures and ending fund balances of the total general funds and adult education funds for districts of similar size and type, as defined, for the second prior fiscal year, exclusive on any amounts expended for capital outlay or debt service, to the extent funds are available.

This bill would, notwithstanding the limitations of those provisions, require the Superintendent of Public Instruction to annually allocate,



from funds appropriated for this purpose, the amount of \$140 per pupil to schools that rank in the bottom two deciles on the most recent Academic Performance Index, would require that apportionment to be in addition to other apportionments made for purposes of property maintenance, and would prescribe the purposes for which those funds could be used.

(3) Existing law establishes the Instructional Time and Staff Development Reform Program for the purpose of enhancing staff development opportunities for classroom personnel and providing grants to eligible school districts and county offices of education for staff development.

This bill would establish the Staff Development Supplemental Program to provide eligible school districts funding for staff development activities for classroom personnel in low-achieving schools, as defined. The bill would require the State Department of Education to submit draft regulations for implementing the program. The bill would require the Superintendent of Public Instruction to provide eligible school districts applying for a grant under the program with a staff development allowance, as specified, to provide 3 staff development days in addition to those provided under existing law.

(4) Existing law authorizes school districts to schedule pupil-free staff development days.

This bill would establish the Professional Staff Year Incentive to provide the staff of low-achieving schools, as defined, with the opportunity to extend the instructional year, prepare instructional programs, consult with their peers, engage in staff development, and consult with parents and pupils. The bill would require the State Department of Education to submit draft regulations for the purpose of implementing the program to the State Board of Education for its review and approval. The bill would require the Superintendent of Public Instruction to apportion funds to school districts on behalf of low-achieving schools that elect to participate in this program, as specified.

(5) Existing law establishes programs to improve low-performing schools, including, but not limited to, the Teaching As A Priority Block Grant to provide incentives to attract credentialed teachers to be employed and retained in low-performing schools, and the Demonstration of Restructuring in Public Education which requires applicant school districts to establish and implement procedures in order to improve pupil achievement in low-performing schools.



This bill would authorize any school district to apply to the Superintendent of Public Instruction for a grant to support the employment of an outreach and assessment consultant at one or more low-achieving and high transience schools. The bill would require an eligible school district applying on behalf of a low-achieving high transience school to provide a description of the manner in which it will utilize an outreach and assessment consultant at each of the schools for which assistance is requested. The bill would require, as a condition of the receipt of funding, a school district to ensure that specified conditions will be met, subject to confirmation by audit.

(6) Under existing law, the National Board for Professional Teaching Standards Certification Incentive Program is established to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained certification from the National Board for Professional Teaching Standards. Under that program a teacher who attains national board certification is eligible for a one-time merit award of \$10,000.

This bill would provide that a teacher who receives that one-time merit award may have the option of receiving it in one lump sum. The bill would also require any teacher who receives certification from the National Board for Professional Teaching Standards who teaches in a school that is ranked in the bottom two deciles of the Academic Performance Index at the most recent ranking to receive additional hours of credit toward their professional development hours, as specified, and, for every 150 hours of service credit attained under those provisions, to be exempt from paying certain teacher credential renewal fees.

(7) Existing law establishes the Teaching As A Priority Block Grant, administered by the State Department of Education with the approval of the State Board of Education, to award block grants to school districts on a competitive basis to provide incentives to attract credentialed teachers to be employed and retained in low-performing schools.

This bill would, in addition to the funding currently provided under that program, require a school that is ranked in the bottom first and second deciles on the most recent Academic Performance Index ranking, that has 10% or more of its teaching staff serving on an emergency permit, to be eligible to receive an additional \$30,000 per year solely for the purpose of compensating one fully credentialed teacher with proven leadership capabilities, who has been retained to



serve as a resource for those teachers within the school who have emergency permits, and would prescribe related matters.

(8) Under the Nell Soto Parent/Teacher Involvement Program, the Superintendent of Public Instruction is required to allocate grants to schools in accordance with prescribed criteria, for the purpose of strengthening communication between schools and parents. Existing law allocated \$15,000,000 for the purpose of establishing that program.

This bill would provide that for purposes of allocating any funding that exceeds the \$15,000,000 that has already been allocated for purposes of that program, that the Superintendent of Public Instruction allocate those funds exclusively to schools that ranked in the bottom two deciles on the Academic Performance Index, as prescribed.

(9) Under the Teresa P. Hughes Family-School Partnership Award and Grant Program the Superintendent of Public Instruction is required to grant nonmonetary awards and funds to applicant school districts and county offices of education for schools that establish or expand family outreach programs that meet prescribed participation criteria. Under existing law, \$2,500,000 has been appropriated for purposes of that program.

This bill would provide that any funding that is provided for the purposes of that program that exceeds that appropriation be allocated exclusively to schools that rank in the bottom two deciles of the Academic Performance Index, based on the most recent ranking.

(10) Under the Tom Hayden Community-Based Parent Involvement Grant Program, state funds are allocated to school districts for the purposes of contracting with nonprofit community-based organizations through a grant program, administered by the State Department of Education, to offer training courses for parents and guardians of schoolage children to enhance their involvement in public education. Under existing law, \$2,500,000 has been appropriated for purposes of that program.

This bill would provide that any funding that is provided for the purposes of that program that exceeds that appropriation be allocated exclusively to schools that rank in the bottom two deciles of the Academic Performance Index, based on the most recent ranking.

(11) Under existing law, a school district that participates in school-based program coordination is authorized to establish an alternative education and work center for school dropouts at a continuation high school or adult school or to contract with a private nonprofit community-based organization to provide the center, as



prescribed. Under existing law, those provisions become inoperative on June 30, 2001.

This bill would extend the operation of those provisions until June 30, 2006.

(12) Existing federal law, the Elementary and Secondary Education Act of 1965 makes, funding available to local educational agencies for activities related to establishing smaller learning communities in high schools.

This bill would establish the Smaller Learning Communities for Low-Achieving Schools Program as a state grant program to provide funding to high schools with 1,000 or more pupils, and to middle schools with 800 or more pupils, that ranked in the bottom two deciles on the Academic Performance Index, for the purpose of planning, developing, implementing or expanding smaller learning communities, and would require the program to be administered by the State Department of Education. The bill would prescribe the purposes for which grants awarded under the program may be used, would require the State Department of Education to develop an application and award process, to determine eligibility for grant funding, and to allocate funds, as specified.

(13) Existing law establishes the Cal Grant T awards which are to be used only for tuition and pupil fees for an academic year of full-time attendance in a program of professional teacher preparation that is approved by the Commission on Teacher Credentialing, and requires that a grant recipient teach for one year in a low-performing school for each \$2,000 ~~award~~ awarded.

This bill would instead require that each recipient of a Cal Grant T award teach for one year in a California public school for each \$2,000 awarded. The bill would make any recipient who receives a Cal Grant T award, who serves in a low-performing school that scored a one or two on the most recent Academic Performance Index ranking, eligible to receive a bonus of \$1,000 for the first full year, \$2,000 for the second full year, \$3,000 for the third full year, and \$4,000 for the 4th full year that they teach at a low-performing school, subject to the availability of funds for that purpose.

(14) Existing law establishes an Assumption Program of Loans for Education, administered by the ~~pupil~~ Student Aid Commission, under which an applicant enrolled in a participating institution of postsecondary education, or an applicant who agrees to participate in a teacher trainee or teacher internship program, and who further agrees



to obtain a teaching credential in a subject area that is designated as a current or projected shortage area or to provide classroom instruction in a school that serves a large population of pupils from low-income families, has a high percentage of teachers holding emergency permits, or is a low-performing school, is eligible to enter into an agreement for loan assumption, to be redeemed upon becoming employed as a teacher. Notwithstanding these requirements for eligibility for the program, existing law authorizes the commission to make loan assumption agreements available to out-of-state teachers who comply with specified program requirements.

This bill would also make loan assumption agreements available to teachers who teach in schools that scored in the 1st or 2nd decile, if applicable, of the Academic Performance Index, who hold valid California teaching credentials and who comply with the same program requirements that are applicable to out-of-state teachers.

(15) Under existing law, the Regents of the University of California are requested to jointly develop with the Trustees of the California State University and the independent colleges and universities, the California Reading, the High School English, the High School Mathematics, the Algebra Academies, the Algebra, and the Elementary Mathematics Professional Development Institutes, to be administered by the university, in partnership with the California State University and with private, independent universities in California, in accordance with prescribed criteria.

This bill would include within those criteria the development of a plan that demonstrates to the Legislature that the professional development programs provide ongoing professional development training, and that these training programs are fully integrated into the professional development plan for a school district and its teachers.

(16) The bill would state that it would only become operative if SB 33, SB 204, SB 466, and SB 1020 of the 2001–02 Regular Session are enacted.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 1.5 (commencing with Section 100) is  
2 added to Part 1 of the Education Code, to read:  
3





1 CHAPTER 1.5. THE CALIFORNIA UNREALIZED LEARNERS  
2 ADVANCEMENT ACT OF 2001

3  
4 Article 1. Legislative Findings and Intent  
5

6 100. This chapter shall be known and may be cited as the  
7 California Unrealized Learners Advancement Act of 2001.

8 101. The Legislature finds and declares all of the following:

9 (a) Every pupil in the public schools of California has a  
10 constitutional right to an equal opportunity to learn, and the state  
11 reaffirms its historic commitment to provide every public school  
12 child with the essential components that provide him or her an  
13 equal opportunity for becoming a learner and succeeding  
14 educationally.

15 (b) Toward that end, in the first extraordinary session of 1999,  
16 the Governor and Legislature enacted into law a comprehensive  
17 system of accountability with respect to the improvement of  
18 learning for all California public school children.

19 (c) Even though the entire system of educational reforms  
20 enacted in 1999 and 2000 has been followed by marked  
21 improvements in the performance of many of the pupils and  
22 schools, there yet remains a great discrepancy in learning and  
23 achievement among California's public school pupils, much of it  
24 clearly according to race, nationality, and socioeconomic  
25 background.

26 (d) The State of California has a responsibility and a challenge  
27 to address this discrepancy for several compelling reasons:

28 (1) Its constitutional requirement to provide an equal  
29 opportunity for every public schoolchild to learn so as to reach his  
30 or her potential, to become educated and develop in order to  
31 succeed in life.

32 (2) The moral obligation of the people and State of California  
33 to provide every public schoolchild an equal opportunity to learn.

34 (3) As documented by the recent 2000 census, the economic  
35 reality that already California has become a no-majority state and  
36 by the year 2010 will have a retirement force that is three-quarter's  
37 Anglo while it has a workforce that is composed three-quarter's of  
38 persons of color.

39 (4) The practical necessity entailed in the reality that a  
40 continuing wholesale failure of significant numbers of



1 low-achieving schools would sorely overtax the entire  
2 accountability system, and could well cause it to collapse.

3 (e) The most sure and promising way to achieve our goal of  
4 equal opportunity to learn for all California public schoolchildren  
5 is to enroll all key stakeholders in developing and committing to  
6 and operating a smart comprehensive strategic action plan for  
7 addressing the needs of our unrealized learners.

8 102. The Legislature further finds and declares, in particular:

9 (a) ~~In particular, research~~ *Research* demonstrates that the  
10 learning and achievement levels of California's public school  
11 pupils of color often fall markedly below those of public school  
12 pupils who are Anglo-American.

13 (b) Recent studies have confirmed that family income is among  
14 the leading predictors of pupil achievement in school.

15 (c) The poverty rate among California public school pupils has  
16 more than doubled in the last 30 years, and 29 percent of the  
17 population now lives in poverty.

18 (d) Pupils from backgrounds of socioeconomic disadvantage  
19 and schools in high-poverty neighborhoods lack equal access to  
20 the resources necessary for equal educational opportunity, such as  
21 properly and fully credentialed teachers, rigorous courses, new  
22 textbooks, computers and multimedia technology, and the  
23 availability of after school tutoring.

24 (e) It is necessary to significantly reduce the impact of poverty  
25 on educational performance to avoid a two-tiered system of  
26 educational opportunity with adverse and disproportionate  
27 impacts on pupils from low-income backgrounds.

28 (f) In this high stakes era of testing, standards, and assessment  
29 in education, it is more important than ever to provide a level  
30 playing field for all public schools and pupils within those schools.

31 (g) The state must recognize the need and the challenge with  
32 respect to low-achieving pupils, and must take responsibility for  
33 addressing the present state of failure of far too many  
34 low-achieving pupils.

35 (h) There are presently great, unacceptable disparities in  
36 opportunities to learn for far too many of California's 6,000,000  
37 public schoolchildren. The disparities are caused by many factors,  
38 including, but not limited to, the condition of educational  
39 facilities, the quality and availability of preschool education, the  
40 presence of qualified teachers, leadership experience of site

1 administrators, and the economic, social and cultural challenges  
2 facing the pupils, including the challenges faced by an increasing  
3 number of English Language Learners.

4 (i) The state's challenge and responsibility is to determine how  
5 to best provide an equal opportunity for every child to reach his or  
6 her potential, to allow that child to learn and develop in order to  
7 succeed in life.

8 (j) As a system, the state must examine the existing shortfalls,  
9 district by district and school by school, and must implement the  
10 most promising solutions, showcasing school districts that are  
11 successful in providing effective programs for pupils.

12 (k) It is essential that the state examine the role of the teacher  
13 as a true professional if talented persons are to be attracted into the  
14 business of learning. The "culture" of teaching needs to be  
15 overhauled to reflect the need for all teachers to constantly refine  
16 their craft.

17 (l) Teachers need the creation of a professional workday with  
18 time built into the day's schedule to plan for their pupils, reflect on  
19 their practice, collaborate with their peers and pursue professional  
20 development in an ongoing manner.

21 (m) Leadership at the local schoolsite needs a new paradigm as  
22 well. Site administrators also need professional development in  
23 this high stakes era of assessment and accountability. A principal  
24 can no longer take on all the tasks of running a school facility in  
25 addition to being the instructional leader. Innovative models such  
26 as "shared leadership" should be encouraged with enough  
27 flexibility designed to engage teachers and parents in local site  
28 decisionmaking. Each school should be recognized as unique,  
29 with its own community needs.

30 (n) Policies and programs should only be implemented if they  
31 actually increase pupil learning and achievement. The state should  
32 study and evaluate those classroom practices that best promote  
33 pupil achievement.

## 34 *Article 2. Definitions*

35  
36  
37 103. (a) A "low-achieving school" means a public school  
38 that has been determined, for at least two consecutive years, to be  
39 in one of the two lowest deciles of the Academic Performance  
40 Index (API), as determined pursuant to Section 52052.

(b) Once determined to be a low-achieving school pursuant to subdivision (a), no school shall cease to be eligible to participate in programs for low-achieving schools until that school has been determined, for at least three consecutive years, to be in one of the five highest deciles of the Academic Performance Index (API) as determined pursuant to Section 52052.

(c) No school that loses program eligibility in accordance with subdivision (b), shall have funding received pursuant to programs established pursuant to this article reduced by more than 15 percent per year in any of the five years immediately following the year in which the school lost eligibility.

### Article 3. Strategic Action Plan

104. It is the intent of the Legislature, in enacting this chapter, to create and implement a comprehensive strategic action plan that will recognize and address the needs of our low-achieving pupils and the obstacles they face, and that involves the efforts of all interested parties. Such an action plan should include the following essential components:

(a) A renewed commitment by the state and all of its political subdivisions involved in the education of children to fully engage themselves in designing and implementing plans for addressing the needs of its respective “unrealized learners.”

(b) A universal heightening of expectations on the parts of all personnel associated with our public school system with respect to the innate capacity of these children to learn.

(c) A summit convened by the Governor to include all key stakeholders involved in our public education system for the purpose of gaining their mutual commitment and brainstorming to develop a smart comprehensive strategic action plan for addressing the needs of our unrealized learners.

(d) A commitment and promising plan to assure that a full cadre of fully qualified and credentialed teachers is going to be present in each of the schools with unrealized learners, beginning with those schools who have the highest numbers of unrealized learners.

(e) A series of outreach, enlistment (as partners in their childrens’ learning), coaching, empowerment and involvement

1 processes that will serve to prepare every parent to become a full  
2 partner in the education of her or his child or children.

3 (f) A collaborative system including public, private, and  
4 nonprofit entities that will provide ~~every unrealized learner~~  
5 *unrealized learners* with a personal mentor, tutor, or coach.

6 (g) Assurance that ~~every~~ California ~~unrealized learner shall~~  
7 *learners* have a safe, modern, and healthy school facility and  
8 environment, and that the state ~~shall~~ develop an equal opportunity  
9 index that can be used to assess each district and school in order  
10 to ascertain whether each district and school is providing the  
11 components essential to constitute equal opportunity to learn.

12 (h) ~~A personalized~~ *Personalized* learning ~~compact compacts~~  
13 entered into by the teacher and the parents that ~~provides~~ *provide*  
14 for a personally tailored curriculum for ~~each unrealized learner~~  
15 *unrealized learners* according to her or his level of advancement  
16 and needs.

17 (i) Provision of adequate logistical support systems, including,  
18 but not limited to, instructional materials, computers, and  
19 supplies, for every unrealized learner.

20 (j) Adoption of a sound assessment system for use with  
21 unrealized learners that is sensitive to diversity as to gender, race,  
22 ethnicity, language, and socioeconomic level in such a manner that  
23 pupil diversity is never an excuse for failure, but rather provides  
24 information upon which to formulate more effective strategies for  
25 reaching the pupils and enabling their learning.

26 (k) The commitment and provision of adequate resources to  
27 accomplish all of the preceding essential components and thereby  
28 to assure that each and every California pupil, including especially  
29 our unrealized learners, has provided him or her an equal  
30 opportunity to learn.

31  
32 Article 4. ~~Comparability~~ *Teacher Distribution*  
33

34 105. (a) As a condition of the continued receipt of funding  
35 pursuant to this chapter, a school district shall ensure all of the  
36 following, subject to confirmation by audit:

37 (1) The salaries of fully credentialed teachers per pupil in  
38 average daily attendance may not be less in schools that are eligible  
39 for assistance under this chapter than in schools that are not  
40 eligible.

(2) The number of fully credentialed teachers per pupil in average daily attendance shall not be less in schools that are eligible for assistance under this chapter than in schools that are not eligible.

(b) For the purposes of this section, a fully credentialed teacher is a person employed in the direct instruction of pupils who holds a valid California teaching credential, intern certificate or credential, not including an emergency permit, preintern certificate, or waiver, and a baccalaureate or higher degree.

(c) The Controller shall ensure that compliance with this chapter is affirmed, or exceptions identified, by inclusion of appropriate tests in the audit guide for the conduct of annual audits of school districts.

#### Article 5. Eligibility and Selection of Schools

106. (a) A school that meets all of the following criteria is eligible to participate in the California Unrealized Learners Advancement Act of 2001:

(1) The school fails to meet its API growth target.

(2) The school has an API score that is below the 50th percentile relative to all other public elementary, middle, or high schools.

(3) The school has applied to participate in the Immediate Intervention/Underperforming Schools Program pursuant to Section 52053.

(b) Priority for participation in the California Unrealized Learners Advancement Act of 2001 for eligible schools shall be given as follows:

(1) First priority shall be given to schools not selected to participate in the Immediate Intervention/Underperforming Schools Program pursuant to Section 52053 and that have been determined, for at least two consecutive years, to be in one of the two lowest deciles of the Academic Performance Index, as determined pursuant to Section 52052.

(2) (A) Second priority shall be given, once all ~~participating schools in~~ *applicant schools that meet the criteria of* paragraph (1) have been funded, to schools in one of the two lowest deciles of the Academic Performance Index that are participating in the Immediate Intervention/Underperforming Schools Program.

(B) It is the intent of the Legislature that funding provided pursuant to ~~this paragraph and~~ this chapter shall supplement and not supplant funds appropriated through the Immediate Intervention/Underperforming Schools Program.

(c) (1) The Superintendent of Public Instruction shall allocate funding to schools participating in the California Unrealized Learners Advancement Act of 2001 as follows:

(A) Schools that received first priority to participate in the program pursuant to paragraph (1) of subdivision (b) shall receive four hundred dollars (\$400) per pupil.

(B) Schools that received second priority to participate in the program pursuant to paragraph (2) of subdivision (b) shall receive two hundred dollars (\$200) per pupil.

(2) It is the intent of the Legislature to establish a target funding amount of four hundred dollars (\$400) per pupil in all schools participating in the California Unrealized Learners Advancement Act of 2001, including continuation high schools.

107. A school that receives funding under this chapter may take any action not otherwise prohibited by state or federal law and that would not require reimbursement by the Commission on State Mandates to improve pupil performance.

#### Article 6. Schoolsite Action Plan

108. Each eligible school that chooses to receive funding pursuant to this chapter shall, *with the support and assistance of the district*, develop a schoolsite action plan that, at minimum, includes all of the following components:

(a) A plan to develop and implement a program that encourages the parent or guardian of every pupil at the school to become a partner in his or her child's education. These programs shall prepare parents and guardians for playing an active role in their children's learning and for assisting parents in developing the skills, including, but not limited to, English language skills, that will enable them to provide a healthy learning environment for their children.

(b) A plan to develop and implement a program that provides a personal mentor for every ~~low-performing~~ *low-achieving* pupil.

~~(c) (1) A demonstration that a minimum of 25 percent of the academic staff serving pursuant to a California teaching credential~~

1 and a strategy to ensure that the total number of emergency permit,  
2 preintern certificates, and waiver teachers in that school is reduced  
3 by 10 percent annually until 100 percent of the teachers at the  
4 schoolsite are serving on a district or university intern certificate  
5 or credential or a California teaching credential.

6 ~~(2) The school has a strategy for ensuring the administrator at~~  
7 ~~that schoolsite has proven leadership skills for working with~~  
8 ~~teachers serving low-achieving pupils.~~

9 ~~(3)–~~

10 (c) A demonstration of all of the following:

11 (1) That a minimum of 25 percent of the total academic staff at  
12 that schoolsite hold a valid California teaching credential.

13 (2) That the school and district have a strategy to ensure that  
14 the total number of emergency permits, preintern certificates, and  
15 waiver teachers in that school is reduced by 10 percent annually  
16 until 100 percent of the teachers at the schoolsite are serving on  
17 a district or university intern certificate or credential or a valid  
18 California teaching credential.

19 (3) That the school and the district have a strategy for ensuring  
20 the administrator at the schoolsite has proven leadership skills for  
21 working with teachers serving low-achieving pupils.

22 (4) A strategy for ensuring the provision of contemporary  
23 textbooks containing curricula consistent with the state standards  
24 to each pupil at that school.

25 ~~(4)–~~

26 (5) A plan to develop and implement a program that utilizes  
27 existing programs that effectively provide individual learning and  
28 support strategies that are successful in improving academic  
29 achievement for low-achieving pupils. For each pupil in that  
30 school that has not shown improvement or growth pursuant to the  
31 Academic Performance Index, commencing with the 2002–2003  
32 school year, the school academic staff shall develop, in  
33 consultation with the pupil and his or her parent or guardian, a  
34 personalized learning compact, detailing the necessary strategies  
35 for ensuring that pupil's academic success. The compact may be  
36 designed during the parent-teacher conference, the pupil study  
37 team, or any time that the participants find conducive for creating  
38 the compact.

39 109. Any school already developing an action plan in  
40 accordance with subdivision (d) of Section 52054 shall



1 incorporate the components required pursuant to Section 108 into  
2 that plan.

3 110. Schools that have ~~met the minimum requirements~~  
4 *developed a plan with the support and assistance of the district as*  
5 set forth in Section 108 may utilize the funding received under this  
6 chapter for purposes that include, but are not limited to, all of the  
7 following:

8 (a) *Improved recruitment and retention strategies for teachers*  
9 *and schoolsite administrators at low-achieving schools that*  
10 *include, but are not limited to, the following:*

11 (1) *Common planning time.*

12 (2) *Professional development strategies similar to those*  
13 *authorized pursuant to the following programs:*

14 (A) *Instructional Time and Staff Development Reform as set*  
15 *forth in Article 7.6 (commencing with Section 44579.5) of Chapter*  
16 *3 of Part 25.*

17 (B) *Professional Staff Year Incentive as set forth in Article 8.5*  
18 *(commencing with Section 44592 of Chapter 3 of Part 25.*

19 (C) *Staff Assistance for High Transience Schools as set forth in*  
20 *Article 10.2 (commencing with Section 44643.5) of Chapter 3 of*  
21 *Part 25.*

22 (D) *California Professional Institutes as set forth in Article 2*  
23 *(commencing with Section 99220) of Chapter 5 of Part 65.*

24 (3) *Additional compensation strategies similar to those*  
25 *authorized pursuant to the Teaching As a Priority Block Grant*  
26 *program as set forth in Chapter 3.36 (commencing with Section*  
27 *44735) of Part 25 and the National Board for Professional*  
28 *Teaching Standards Certification Incentive Program as set forth*  
29 *in Article 13 (commencing with Section 44395) of Chapter 2 of*  
30 *Part 25.*

31 (b) Parental involvement pursuant to the Nell Soto  
32 Parent/Teacher Involvement Program (Article 2 (commencing  
33 with Section 51120) of Chapter 1.5 of Part 28), the Teresa P.  
34 Hughes Family-School Partnership Award and Grant Program  
35 (Article 3 (commencing with Section 51130) of Chapter 1.5 of Part  
36 28), or the Tom Hayden Community-Based Parent Involvement  
37 Grant Program (Article 4 (commencing with Section 51140) of  
38 Chapter 1.5 of Part 28).

39 ~~(b)~~

40 (c) Pupil involvement or mentor support programs.

1 ~~(c) Common planning time, professional development, or~~  
2 ~~additional compensation for teachers and administrators.~~

3 (d) Clean and safe school facilities.

4 (e) A smaller learning environment pursuant to Section 54770.

5 (f) Pupil mobility.

6 (g) Additional learning compact strategies.

7 *(h) Additional pupil support services and personnel, including,*  
8 *but not limited to, library media specialists.*

9  
10 Article 7. Equal Opportunity to Learn  
11

12 111. (a) The Office of the Governor, the Superintendent of  
13 Public Instruction, and the Legislature shall develop a multiyear  
14 plan to increasingly align educational resources and funding so  
15 that all pupils have more equal opportunities for educational  
16 success.

17 (b) Standards for measuring equal opportunity for educational  
18 success shall be developed by the State Department of Education  
19 in consultation with other appropriate state agencies. These  
20 standards, which shall encompass a range dependent on utilization  
21 and program design, shall, whenever possible, seek to utilize the  
22 school as the unit of measurement and shall include, but shall not  
23 be limited to, available objective information pertaining to the  
24 following:

25 (1) The percentage of experienced and well-trained teachers  
26 assigned to schools disaggregated by each API decile, as  
27 demonstrated by consideration of all of the following:

28 (A) The length of teaching experience.

29 (B) Possession of a professional clear teaching credential.

30 (C) Participation in the National Board Professional Teaching  
31 Standards certification program.

32 (D) National Board of Professional Teaching Standards  
33 certification, including English as a new language.

34 (2) The percentage of teachers with emergency permits and  
35 teachers assigned outside their subject area.

36 (3) The percentage of principals assigned to schools  
37 disaggregated by each API decile who have had a Tier II  
38 Administrative Credential for at least five years and have  
39 completed at least 150 hours of professional growth after receiving  
40 the Tier II credential.

1 (4) The percentage of courses aligned with state standards and  
2 test requirements for subject areas in which state standards have  
3 been adopted.

4 (5) The ratio, by grade level and course, of contemporary  
5 textbooks containing curricula consistent with state standards, to  
6 pupils.

7 (6) The ratio, by grade level, of contemporary computers and  
8 other multimedia technology, to pupils.

9 (7) The number of pupils served in after school tutoring  
10 programs, dropout prevention programs, and college access  
11 programs.

12 (8) For high schools:

13 (A) The number of courses available that meet the  
14 requirements for admission to the University of California, as  
15 established by the Regents of the University of California, and the  
16 number of available advanced placement course sections in  
17 subject areas that meet the requirements for admission to the  
18 University of California, as established by the Regents of the  
19 University of California.

20 (B) The percentage of pupils, by subgroup, taking the courses  
21 that meet the requirements for admission to the University of  
22 California, as established by the Regents of the University of  
23 California.

24 (C) The percentage of pupils, by subgroup, taking advanced  
25 placement.

26 (D) The percentage of pupils, by subgroup and course section  
27 in subject areas meeting the requirements for admission to the  
28 University of California, as established by the Regents of the  
29 University of California, for each of the following:

30 (i) Algebra I.

31 (ii) Biology.

32 (iii) United States or World History.

33 (9) Information related to the success of existing reading  
34 programs, parent involvement programs, and partnership  
35 programs between schools and public or private entities. These  
36 programs shall be examined in the context of the school and the  
37 community to determine effective practices among schools.  
38 Operation and quality of these programs shall be a consideration  
39 in the determination of a school's ability to provide equal  
40 opportunity for success.

(10) The graduation rate at the school and school district level by subgroup. For purposes of this section, “graduation rate” means the percentage of pupils who graduate from high school within four years from the date they entered 9th grade.

(11) Information related to additional components of a good learning environment, including, but not limited to facilities, curriculum support, pupil support services, and other logistical support services that provide instructional materials, computers, and other supplies.

(12) Data that documents the facts and figures that define the “conditions of children,” as defined by the Superintendent of Public Instruction.

(c) The data relating to a pupil’s opportunity to succeed at a low-performing school, shall be analyzed and reported as a comparison to high-performing and average-performing schools.

(d) For the purposes of this chapter, subgroup categories include gender, race, socioeconomic, and linguistic groups.

(e) The collection of data pursuant to this article is necessary to comply with the state’s obligation to not discriminate in federally funded programs pursuant to subsection (d) of Section 2000 of Title 42 of the United States Code.

112. For purposes of this chapter, the State Department of Education, where appropriate, shall utilize data and analysis generated by the evaluations required by Sections 52054 and 52058.

113. Beginning no later than January 1, 2002, and continuing each year thereafter, the Superintendent of Public Instruction shall report, based on the information available, to the Legislature and the public on the status of equal opportunity for success in California’s public schools. The report shall be disaggregated by subgroup categories and shall include, but not be limited to, the following:

(a) Progress toward achieving equal opportunity for educational success.

(b) Identifying barriers to progress toward achieving equal opportunity for educational success.

(c) Identifying barriers to, and making recommendations for, obtaining information pursuant to Section 54560.

(d) Recommendations for policies or budget changes, or both, that will advance progress toward achievement of equal

1 opportunity for educational success. The Superintendent of Public  
2 Instruction shall provide to the Legislature, for its adoption, no  
3 later than April 1, 2002, a long-term strategic plan including goals  
4 and benchmarks for progressing toward equal opportunity for  
5 educational success.

6 114. The Superintendent of Public Instruction shall identify  
7 and evaluate existing programs that are successful in improving  
8 academic achievement for low-achieving pupils, and distribute  
9 information on those programs to school districts on a regular  
10 basis.

11  
12 Article 8. Duties of the Superintendent of Public Instruction  
13

14 115. The Superintendent of Public Instruction shall be  
15 responsible for all of the following:

16 (a) Identifying and evaluating existing programs that are  
17 successful in mentoring children and youth, and in helping them  
18 to achieve academic success, such as Cal-SOAP and other service  
19 learning initiatives. The Superintendent of Public Instruction shall  
20 distribute information on these programs to school districts on a  
21 regular basis.

22 (b) Developing guidelines and recommendations for school  
23 districts to use in establishing mentoring programs to assure that  
24 ~~every low-achieving pupil shall~~ *pupils are* be provided a personal  
25 mentor.

26 (c) Identifying and evaluating existing programs that  
27 effectively provide individual learning and support strategies that  
28 are successful in improving academic achievement for  
29 ~~low-achieving pupils~~ *unrealized learners*, and distribute  
30 information on these strategies to all school districts every two  
31 years.

32 (d) Commencing with the 2002–03 school year, issuing  
33 ~~guidelines and~~ recommendations to school districts for  
34 establishing, as part of the regular parent-teacher conference  
35 process, pupil study team, or any time set aside for this purpose a  
36 personalized learning compact that sets forth a detailed program  
37 designed and agreed to by the teachers, parents, and when  
38 appropriate, pupils, to meet the needs of each low-achieving child.

39 SEC. 2. Section 17587.1 is added to the Education Code, to  
40 read:

17587.1. (a) The Legislature finds and declares that it is of extreme importance to have clean, safe, and well-maintained school facilities that foster an environment that is conducive to learning. The Legislature further finds and declares that it is necessary to assist low-achieving schools in improving the physical environment of those schools.

(b) Notwithstanding the limitations of Section 17584, the Superintendent of Public Instruction shall annually allocate, from funds appropriated for the purposes of this section, the amount of one hundred forty dollars (\$140) per pupil to low-performing schools. This apportionment shall be in addition to any other apportionment made by this chapter, and shall be used for the purposes described in Section 17582.

(c) (1) For purposes of this section, a low-achieving school is a public school that has been determined, for at least two consecutive years, to be in one of the two lowest deciles of the Academic Performance Index (API) as determined pursuant to Section 52052.

(2) Once determined to be a low-performing school pursuant to paragraph (1), no school shall cease to be eligible to participate in programs for low-achieving schools until that school has been determined, for at least three consecutive years, to be one of the five highest deciles of the Academic Performance Index (API) as determined pursuant to Section 52052.

(3) No school that loses program eligibility in accordance with paragraph (2) shall have funding received pursuant to programs established pursuant to this article reduced by more than 15 percent per year in any of the five years immediately following the year in which the school lost eligibility.

SEC. 3. Section 44395 of the Education Code is amended to read:

44395. (a) The National Board for Professional Teaching Standards Certification Incentive Program is hereby established to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained certification from the National Board for Professional Teaching Standards. The following awards shall be granted to the extent that funds have been appropriated for this purpose in the annual Budget Act:

1 (1) A teacher attaining national board certification shall be  
2 eligible for a one-time merit award of ten thousand dollars  
3 (\$10,000), except as specified in paragraph (2). Any teacher who  
4 receives this award shall have the option of receiving the award in  
5 one lump sum.

6 (2) In addition to the award specified in subdivision (1),  
7 commencing July 1, 2000, any teacher who has attained  
8 certification from the National Board for Professional Teaching  
9 Standards is eligible to receive an award of up to twenty thousand  
10 dollars (\$20,000) if he or she agrees to teach at a low-performing  
11 school for at least four years. Teaching service before July 1, 2000,  
12 may not be counted towards satisfaction of this four-year  
13 commitment. Awards granted pursuant to this subdivision shall be  
14 disbursed in annual payments of five thousand dollars (\$5,000)  
15 over a four-year period. The annual payment shall be made upon  
16 completion of the school year, and upon approval of a  
17 district-certified application pursuant to the guidelines of  
18 subdivision (c) of Section 44396.

19 (3) Any teacher who receives certification from the National  
20 Board for Professional Teaching Standards who teaches in a  
21 school that is ranked in the bottom two deciles of the Academic  
22 Performance Index at the most recent ranking shall receive 50  
23 hours of credit toward the required professional development  
24 hours for renewing his or her California teaching credential for  
25 each year that they have taught, or continue to teach, at a school  
26 that ranked in the bottom two deciles of the Academic  
27 Performance Index. For every 150 hours of credit attained under  
28 this section for credential renewal requirements, the teacher shall  
29 be exempt from paying renewal fees imposed pursuant to Section  
30 44235 and shall be deemed to have met the renewal requirements  
31 pursuant to Section 44252 and 44277.

32 (b) The State Department of Education shall administer the  
33 awards authorized by subdivision (a), and shall develop, in  
34 consultation with the Commission on Teacher Credentialing,  
35 certification and award information, criteria, procedures, and  
36 applications, all of which shall be submitted to the State Board of  
37 Education for approval. Amendments requested by the State  
38 Board of Education to that information, criteria, procedures, and  
39 applications shall be made before the dissemination of the material  
40 and the granting of any award under this article.



1 (c) The State Department of Education shall distribute the  
2 materials described in subdivision (b) to school districts. Each  
3 school district is strongly encouraged to ensure that teachers  
4 employed by the district or by charter schools affiliated with the  
5 district are informed about the program and can acquire the  
6 necessary application and information materials.

7 (d) School districts are encouraged to provide for adequate  
8 release time and support for a teacher to complete the certification  
9 process. As a condition to providing that release time and support,  
10 a school district may require that a teacher serve in a mentor  
11 teacher capacity.

12 (e) The State Department of Education may provide fee  
13 assistance from funds appropriated in the annual Budget Act for  
14 the National Board for Professional Teaching Standards  
15 Certification Program to defray the fees of teachers seeking  
16 certification from the National Board for Professional Teaching  
17 Standards. The State Department of Education may provide fee  
18 assistance of up to one thousand dollars (\$1,000) for each teacher,  
19 not to exceed a total of two million dollars (\$2,000,000).

20 (f) For purposes of this article, the following definitions apply:

21 (1) “School district” means school district, county board of  
22 education, county superintendent of schools, a state operated  
23 program, such as a special school, or an education program  
24 providing instruction in kindergarten or any of grades 1 to 12,  
25 inclusive, that is offered by a state agency, including the California  
26 Youth Authority and the State Department of Developmental  
27 Services.

28 (2) “Low-performing school” means a school in the bottom  
29 half of all schools based on the Academic Performance Index  
30 rankings established pursuant to subdivision (a) of Section 52056.  
31 This designation shall be determined as of the date of the  
32 agreement by the teacher in paragraph (2) of subdivision (a) of this  
33 section.

34 SEC. 4. Article 7.6 (commencing with Section 44579.5) is  
35 added to Chapter 3 of Part 25 of the Education Code, to read:

36  
37 Article 7.6. Staff Development for Low-Achieving Schools  
38

39 44579.5. (a) The Staff Development Supplemental Program  
40 is hereby established to enhance staff development opportunities

1 for classroom personnel in low-performing schools, as defined in  
2 this article. It is the intent of the Legislature that funding for staff  
3 development activities for school personnel provided under this  
4 article shall supplement and not supplant staff development that is  
5 provided to school district personnel from other resources.

6 (b) The State Department of Education shall submit draft  
7 regulations for the purpose of implementing this article to the State  
8 Board of Education for its review and approval. The State Board  
9 of Education shall adopt regulations for the purpose of  
10 implementing this article pursuant to Chapter 3.5 (commencing  
11 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
12 Government Code.

13 (c) Each fiscal year, the Superintendent of Public Instruction  
14 shall provide each eligible school district, on behalf of eligible  
15 schools, applying for a grant pursuant to this article with a staff  
16 development allowance of two hundred seventy dollars (\$270) per  
17 day, adjusted annually commencing with the 1999–2000 fiscal  
18 year for the inflation adjustment calculated pursuant to  
19 subdivision (b) of Section 42238.1, for up to three days, for each  
20 certificated classroom teacher and one hundred forty dollars  
21 (\$140) per day, adjusted annually commencing with the  
22 1999–2000 fiscal year for the inflation adjustment calculated  
23 pursuant to subdivision (b) of Section 42238.1, for up to one day  
24 for each classified classroom instructional aide and certificated  
25 teaching assistant who participates in staff development  
26 instructional methods, including teaching strategies, classroom  
27 management and other training designed to improve pupil  
28 performance, conflict resolution, and academic content in the core  
29 curriculum areas that are provided by the school district.

30 (d) To be eligible for a grant pursuant to this article, the staff  
31 development program provided by the school district shall meet  
32 local educational priorities as defined by the school site council of  
33 the school or schools for which the grant is sought.

34 (e) To qualify as a funded participant, each eligible participant  
35 shall be present for the full staff development day, and records of  
36 attendance shall be maintained in a manner to be prescribed in  
37 regulations. Each staff development day shall be at least as long as  
38 the full-time instructional workday for certificated or classified  
39 instructional employees of the school district. For purposes of this

1 section, a single staff development day may be conducted over  
2 several calendar days.

3 (f) (1) Except as provided pursuant to paragraph (2), if the  
4 staff development day is conducted after completion of an  
5 instructional day, it may not be held on a minimum day for which  
6 a parent or guardian was notified pursuant to subdivision (c) of  
7 Section 48980.

8 (2) For staff working in multitrack, year-round schools, not  
9 more than two staff development days may be scheduled for “off  
10 track” teachers at a school with a minimum day scheduled. In this  
11 event, teachers at the multitrack, year-round school who are being  
12 paid for service on the minimum days are not eligible for that day  
13 of funding under this article.

14 (g) Notwithstanding Section 45203, probationary and  
15 permanent employees in the classified service may not receive  
16 regular pay on days during which staff development is offered  
17 pursuant to this article unless they are required to report for duty  
18 on those days.

19 (h) This section shall be operative in any fiscal year only to the  
20 extent that funds are provided for its purposes.

21 44579.6. (a) For purposes of this article a low-achieving  
22 school is a public school that has been determined, for at least two  
23 consecutive years, to be in one of the two lowest deciles of the  
24 Academic Performance Index (API) as determined pursuant to  
25 Section 52052.

26 (b) Once determined to be a low-achieving school pursuant to  
27 subdivision (a), no school shall cease to be eligible to participate  
28 in programs for low-achieving schools until that school has been  
29 determined, for at least three consecutive years, to be in one of the  
30 five highest deciles of the Academic Performance Index (API) as  
31 determined pursuant to Section 52052.

32 (c) No school that loses program eligibility in accordance with  
33 subdivision (b), shall have funding received pursuant to programs  
34 established pursuant to this article reduced by more than 15  
35 percent per year in any of the five years immediately following the  
36 year in which the school lost eligibility.

37 SEC. 5. Article 8.5 (commencing with Section 44592) is  
38 added to Chapter 3 of Part 25 of the Education Code, to read:  
39

1 Article 8.5. Professional Staff Year Incentive

2  
3 44592. (a) The Professional Staff Year Incentive is hereby  
4 established to provide the staff of low-achieving schools, as  
5 defined in this article, with the opportunity to extend the  
6 instructional year, prepare instructional programs, consult with  
7 their peers, engage in staff development, and consult with parents  
8 and pupils. It is the intent of the Legislature that funding provided  
9 under this article shall supplement and not supplant available  
10 resources.

11 (b) The State Department of Education shall submit draft  
12 regulations for the purpose of implementing this article to the State  
13 Board of Education for its review and approval. The State Board  
14 of Education shall adopt regulations for the purpose of  
15 implementing this article pursuant to Chapter 3.5 (commencing  
16 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
17 Government Code.

18 (c) Each fiscal year, the Superintendent of Public Instruction  
19 shall apportion funds to school districts on behalf of  
20 low-performing schools that elect to participate in this program  
21 and in accordance with the following schedule:

22 (1) Three hundred dollars (\$300) per day, adjusted annually  
23 commencing with the 2001–02 fiscal year for the inflation  
24 adjustment calculated pursuant to subdivision (b) of Section  
25 42238.1, for up to 10 days, for each fully certificated classroom  
26 teacher assigned and working in a low-performing school, who  
27 agrees to extend his or her contracted work year by additional full  
28 working days, not to exceed 10 additional days in any one school  
29 year.

30 (2) One hundred fifty dollars (\$150) per day, adjusted annually  
31 commencing with the 2001–02 fiscal year for the inflation  
32 adjustment calculated pursuant to subdivision (b) of Section  
33 42238.1, for up to 10 days, for each classified classroom  
34 instructional aide and certificated teaching assistant assigned and  
35 working in a low-achieving school, who agrees to extend his or her  
36 contracted work year by additional full working days, not to  
37 exceed 10 additional days in any one school year.

38 (d) Schools that elect to participate in the Professional Staff  
39 Year Incentive shall agree to provide credentialed and classified  
40 school staff with no less than four compensated work hours each

1 week to collaborate with other members of the school's instructional staff on matters of curriculum, instruction, and assessment. Collaboration time shall be scheduled so that each member of the instructional staff has no less than one hour in common each week to collaborate with other members of the school staff.

(e) To be counted for funding each additional professional day shall be multiplied by the number of staff members actually present for the additional workday, and records of attendance shall be maintained in a manner to be prescribed in regulations. Each additional workday shall be at least as long as the full-time instructional workday for certificated or classified instructional employees of the school district.

44593. (a) For purposes of this article a low-achieving school is a public school that has been determined, for at least two consecutive years, to be in one of the two lowest deciles of the Academic Performance Index (API) as determined pursuant to Section 52052.

(b) Once determined to be a low-achieving school pursuant to subdivision (a), no school shall cease to be eligible to participate in programs for low-achieving schools until that school has been determined, for at least three consecutive years, to be in one of the five highest deciles of the Academic Performance Index (API) as determined pursuant to Section 52052.

(c) No school that loses program eligibility in accordance with subdivision (b), shall have funding received pursuant to programs established pursuant to this article reduced by more than 15 percent per year in any of the five years immediately following the year in which the school lost eligibility.

SEC. 6. Article 10.2 (commencing with Section 44643.5) is added to Chapter 3 of Part 25 of the Education Code, to read:

Article 10.2. Staff Assistance for High Transience Schools

44643.5. (a) Any school district may apply to the Superintendent of Public Instruction for a grant to support the employment of an outreach and assessment consultant at one or more low-achieving and high transience schools.

(b) For purposes of this section, a high transience school is any low-achieving school, as defined in Section 44643.6, that can also

1 show that the number of pupils enrolled for at least one day during  
2 the any one of the three prior school years exceeds the number of  
3 pupils in average daily attendance by at least 50 percent.

4 (c) To qualify for assistance under this article, a low-achieving  
5 high transience school must also be participating in the  
6 Professional Staff Year Incentive program pursuant to Article 8.5.

7 (d) A school district applying on behalf of a low-achieving high  
8 transience school that qualifies for assistance pursuant to this  
9 article must provide a description of the manner in which it will  
10 utilize an outreach and assessment consultant at each of the schools  
11 for which assistance is requested. For purposes of this article, each  
12 outreach and assessment consultant, at a minimum, shall:

13 (1) Be capable of assessing the ability, skills and educational  
14 needs of pupils, and capable of recommending instructional  
15 strategies that are available to respond to the differential needs and  
16 unique learning styles of pupils.

17 (2) Be knowledgeable concerning, and capable of enlisting the  
18 assistance of, local community agencies and community programs  
19 that are available to assist in the physical or psychological needs  
20 of pupils.

21 (3) Be knowledgeable of local school programs, options, and  
22 opportunities that are available to assist pupils in mastering the  
23 core curriculum.

24 (e) Grants of assistance to low-achieving high transience  
25 schools shall be provided from funds specifically appropriated for  
26 that purpose. It is the intent of the Legislature that grants be  
27 sufficient to employ at least one outreach and assessment  
28 consultant for each low-achieving high transience school.

29 44643.6. (a) For purposes of this article a low-achieving  
30 school is a public school that has been determined, for at least two  
31 consecutive years, to be in one of the two lowest deciles of the  
32 Academic Performance Index (API) as determined pursuant to  
33 Section 52052.

34 (b) Once determined to be a low-achieving school pursuant to  
35 subdivision (a), no school shall cease to be eligible to participate  
36 in programs for low-achieving schools until that school has been  
37 determined, for at least three consecutive years, to be in one of the  
38 five highest deciles of the Academic Performance Index (API) as  
39 determined pursuant to Section 52052.

(c) No school that loses program eligibility in accordance with subdivision (b), shall have funding received pursuant to programs established pursuant to this article reduced by more than 15 percent per year in any of the five years immediately following the year in which the school lost eligibility.

SEC. 7. Section 44735 of the Education Code is amended to read:

44735. The Teaching As A Priority Block Grant is hereby created to be administered by the State Department of Education with the approval of the State Board of Education. The State Department of Education shall award block grants to school districts on a competitive basis to provide incentives to attract credentialed teachers to be employed and retained in low-performing schools.

(a) Block grant funds may be used at the discretion of a school district for teacher recruitment and retention incentives with the target of reducing the number of teachers on emergency permits. Incentives shall only be used to hire and retain credentialed teachers. Teacher recruitment and retention incentives may include, but are not limited to, all of the following:

- (1) Signing bonuses.
- (2) Improved work conditions.
- (3) Teacher compensation.
- (4) Housing subsidies.

(b) (1) Funding shall be allocated to school districts on a per pupil basis for pupils enrolled in schools ranked in the bottom half of the Academic Performance Index pursuant to Article 2 (commencing with Section 52051) of Chapter 6.1. Within the bottom half of the Academic Performance Index, schools ranked in deciles 1, 2, and 3 shall receive  $1\frac{1}{2}$  times the funding per pupil of schools ranked in deciles 4 and 5. No less than the amount of funding generated by pupils in schools ranked in deciles 1, 2, and 3 shall be expended in those schools.

(2) In addition to the funding allocated pursuant to paragraph (1), a school that is ranked in the bottom first and second deciles on the most recent Academic Performance Index ranking, that has 10 percent or more of its teaching staff serving on an emergency permit, shall be eligible to receive an additional thirty thousand dollars (\$30,000) per year solely for the purpose of compensating one fully credentialed teacher with proven leadership capabilities,



1 who has been retained to serve as a resource for those teachers  
2 within the school who have emergency permits, to provide  
3 additional support and guidance in assisting those teachers in  
4 attaining their teacher credential. For purposes of this paragraph,  
5 a fully credentialed teacher means any person who holds a  
6 professional clear credential for a period of five or more years, and  
7 has been assigned as a teacher of record for this period of time. For  
8 purposes of this paragraph, proven leadership shall include, but is  
9 not limited to, acting as a mentor for other teachers, having  
10 attained certification from the National Board for Professional  
11 Teaching Standards, or acting as a beginning teacher support and  
12 assessment provider.

13 (c) School districts shall apply to the Department of Education  
14 on behalf of their schools. The district application shall contain  
15 information that is specific to each school. Applications shall  
16 contain baseline information on the number of teachers with  
17 waivers or emergency credentials at each school in accordance  
18 with subdivision (a).

19 (d) School districts that participate in the program established  
20 in this section shall be encouraged to participate in consortia  
21 operated regional recruitment centers pursuant to Section 44751.

22 (e) Funds appropriated for the purposes of this chapter shall  
23 supplement, and not supplant, existing efforts to recruit and retain  
24 fully credentialed teachers in the school district.

25 (f) The State Board of Education shall submit an evaluation of  
26 the program created by this chapter to the Legislature by January  
27 1, 2004.

28 SEC. 8. Section 51122 of the Education Code is amended to  
29 read:

30 51122. (a) The Superintendent of Public Instruction shall  
31 allocate funds to school districts and charter schools that have  
32 certified to the superintendent that they satisfy the conditions of  
33 subdivision (c) of Section 51121. A qualifying school with a pupil  
34 enrollment of fewer than 1,000 pupils shall receive a grant of  
35 twenty-five thousand dollars (\$25,000). A qualifying school with  
36 a pupil enrollment of 1,000 or more pupils shall receive a grant of  
37 forty thousand dollars (\$40,000).

38 (b) The funds received pursuant to this article may be used to  
39 compensate teachers, to provide training to teachers, and to defray  
40 other costs associated with the implementation of the

1 Parent/Teacher Involvement Program. A qualifying school shall  
2 be funded in the order of receipt of an approval certification until  
3 all funds available for the program have been apportioned.

4 (c) The total amount of the grants allocated pursuant to this  
5 section shall not exceed the total amount appropriated for the  
6 purposes of this section.

7 Funding for this program shall be made available to all schools.

8 (d) (1) For purposes of allocating the first fifteen million  
9 dollars (\$15,000,000) that is appropriated for purposes of this  
10 section, the Superintendent of Public Instruction shall rank  
11 schools in order based on the number of pupils who are eligible to  
12 receive free or reduced-cost meals through the United States  
13 Department of Agriculture and shall group schools in two halves  
14 based on this ranking. Available funding shall then be distributed  
15 as provided in subparagraphs (A) and (B) between the two halves.  
16 Within each half, qualifying schools shall be funded in order of  
17 receipt of the district-approved certification.

18 Funding shall be distributed between the halves as follows:

19 (A) The half containing schools with the highest number of  
20 pupils who are eligible for free or reduced-cost meals through the  
21 United States Department of Agriculture shall receive an amount  
22 equal to 75 percent of the funding.

23 (B) The half containing schools with the second highest  
24 number of pupils who are eligible for free or reduced-cost meals  
25 through the United States Department of Agriculture shall receive  
26 an amount equal to 25 percent of the funding.

27 (2) For purposes of allocating any funding that exceeds the  
28 initial fifteen million dollars (\$15,000,000) that is appropriated for  
29 the purposes of this section, the Superintendent of Public  
30 Instruction shall allocate those funds exclusively to schools that  
31 ranked in the bottom two deciles on the Academic Performance  
32 Index in accordance with the ranking outlined in paragraph (1).

33 (e) Priority for home visits shall be given to low-performing  
34 pupils.

35 SEC. 9. Section 51134 is added to the Education Code, to  
36 read:

37 51134. Funds appropriated for the purposes of this article that  
38 exceed the funding provided by subdivision (b) of Section 9 of  
39 Chapter 734 of the Statutes of 1999 shall be allocated exclusively

1 to schools that ranked in the bottom two deciles of the Academic  
2 Performance Index, based on the most recent ranking.

3 SEC. 10. Section 51144 is added to the Education Code, to  
4 read:

5 51144. Funds appropriated for the purposes of this article that  
6 exceed the funding provided by subdivision (c) of Section 9 of  
7 Chapter 734 of the Statutes of 1999 shall be allocated exclusively  
8 to schools that ranked in the bottom two deciles of the Academic  
9 Performance Index, based on the most recent ranking.

10 SEC. 11. Section 52904 of the Education Code is amended to  
11 read:

12 52904. This article shall become inoperative on June 30,  
13 2006, and, as of January 1, 2007, is repealed, unless a later enacted  
14 statute, that becomes operative on or before January 1, 2007,  
15 deletes or extends the dates on which it becomes inoperative and  
16 is repealed.

17 SEC. 12. Article 10 (commencing with Section 54770) is  
18 added to Chapter 9 of Part 29 of the Education Code, to read:

19

20 Article 10. Smaller Learning Communities for  
21 Low-Achieving Schools

22

23 54770. (a) The Smaller Learning Communities Program for  
24 Low-Achieving Schools is hereby established as a grant program  
25 to provide funding to high schools with 1,000 or more pupils, and  
26 to middle schools with 800 or more pupils, that ranked in the  
27 bottom two deciles on the Academic Performance Index in the  
28 most recent ranking, for the purpose of planning, developing,  
29 implementing or expanding smaller learning communities. This  
30 grant program shall be administered by the State Department of  
31 Education.

32 (b) Funding provided under this program may be used for, but  
33 is not limited to, creating schools within schools and career  
34 academies; restructuring the schoolday; instituting personal adult  
35 advocates; developing teacher advisory systems and other  
36 innovations designed to create a more personalized high school  
37 experience for pupils and to improve pupil achievement and  
38 performance.



1 (c) The State Department of Education shall develop an  
2 application and award process, shall determine eligibility for  
3 grants under this program, and shall allocate funds as follows:

4 (1) Planning grants for the first year of operation shall be  
5 awarded to middle schools in the amount of thirty thousand dollars  
6 (\$30,000) and to high schools in the amount of fifty thousand  
7 dollars (\$50,000).

8 (2) Annual implementation grants, beginning in the second  
9 year of program operation shall be awarded to middle schools in  
10 the amount of two hundred thousand dollars (\$200,000) and to  
11 high schools in the amount of four hundred thousand dollars  
12 (\$400,000).

13 (d) For purposes of this article a low-achieving school is a  
14 public school that has been determined, for at least two  
15 consecutive years, to be in one of the two lowest deciles of the  
16 Academic Performance Index (API) as determined pursuant to  
17 Section 52052.

18 (e) Once determined to be a low-achieving school pursuant to  
19 subdivision (d), no school shall cease to be eligible to participate  
20 in programs for low-achieving schools until that school has been  
21 determined, for at least three consecutive years, to be in one of the  
22 five highest deciles of the Academic Performance Index (API) as  
23 determined pursuant to Section 52052.

24 (f) No school that loses program eligibility in accordance with  
25 subdivision (e), shall have funding received pursuant to programs  
26 established pursuant to this article reduced by more than 15  
27 percent per year in any of the five years immediately following the  
28 year in which the school lost eligibility.

29 SEC. 13. Section 69532 of the Education Code is amended to  
30 read:

31 69532. Cal Grant Program awards shall be known as “Cal  
32 Grant A awards,” “Cal Grant B awards,” “Cal Grant C awards,”  
33 and “Cal Grant T awards.” The maximum award in each category  
34 shall be determined in the annual Budget Act.

35 (a) Cal Grant A awards shall be used only for tuition and  
36 student fees in an instructional program of no less than two  
37 academic years. Commencing as soon as feasible, but no later than  
38 the award cycle that provides awards for the 1999–2000 academic  
39 year, the eligibility criteria for first-time Cal Grant award  
40 recipients who are community college students and transfer to a

1 four-year college or university shall be no more stringent than the  
2 eligibility criteria for other first-time Cal Grant award recipients  
3 attending a four-year college or university.

4 (b) Cal Grant B awards shall be used only for tuition, student  
5 fees, and subsistence costs in an instructional program of no less  
6 than one academic year. Subsistence costs are living expenses,  
7 transportation, supplies, and books. Commencing as soon as  
8 feasible, but no later than the award cycle that provides awards for  
9 the 1999–2000 academic year, the eligibility criteria for first-time  
10 Cal Grant award recipients who are community college students  
11 and transfer to a four-year college or university shall be no more  
12 stringent than the eligibility criteria for other first-time Cal Grant  
13 award recipients attending a four-year college or university.

14 (c) Cal Grant C awards shall be used only for occupational or  
15 technical training in a course of no less than four months. There  
16 shall be a minimum of 1,570 new Cal Grant C awards each year.

17 (d) Cal Grant T awards shall be used only for tuition and  
18 student fees for a maximum of one academic year of full-time  
19 attendance in a program of professional preparation that has been  
20 approved by the Commission on Teacher Credentialing. There  
21 shall be a minimum of 3,000 new Cal Grant T awards each year.  
22 As a condition of receiving a Cal Grant T award, a recipient shall  
23 teach for one year in a California public school for each two  
24 thousand dollar (\$2,000) incentive provided pursuant to Section  
25 69532 through the Cal Grant T Program, for a period not to exceed  
26 four years. Any recipient who receives a Cal Grant T award  
27 pursuant to this section, who serves in a low-performing school  
28 that scored a one or two on the most recent Academic Performance  
29 Index ranking, shall be eligible to receive a bonus of one thousand  
30 dollars (\$1,000) for the first full year, two thousand dollars  
31 (\$2,000) for the second full year, three thousand dollars (\$3,000)  
32 for the third full year, and four thousand dollars (\$4,000) for the  
33 fourth full year, that they teach at a low-performing school, subject  
34 to the availability of funds for that purpose. Any recipient who  
35 fails to meet his or her teaching obligation shall repay the Cal Grant  
36 T award.

37 (e) The California Student Aid Commission shall evaluate the  
38 Cal Grant T Award Program from its inception to determine, of the  
39 total number of recipients, the number of recipients who become  
40 employed as public school teachers. This evaluation shall be



1 reported on an annual basis to the Governor and the Legislature  
2 beginning July 1, 2001.

3 SEC. 14. Section 69613.5 of the Education Code is amended  
4 to read:

5 69613.5. Notwithstanding paragraph (3) of subdivision (b) of  
6 Section 69612 and Section 69614:

7 (a) The commission may make agreements available to  
8 teachers who teach in schools that scored in the first or second  
9 decile, if applicable, of the Academic Performance Index created  
10 pursuant to Section 52052, who hold valid California teaching  
11 credentials, and who fulfill the terms of Section 69613.4 and are  
12 otherwise eligible to enter into agreements.

13 (b) For the purposes of the recruitment of teachers from outside  
14 California, the commission may make agreements available to  
15 out-of-state teachers who fulfill the terms of Section 69613.4 and  
16 are otherwise eligible to enter into agreements. A teacher who  
17 enters into an agreement pursuant to this subdivision shall hold a  
18 valid teaching credential, in the subject area of the California  
19 teaching position, from the state in which he or she resides.

20 SEC. 15. Section 99227 is added to the Education Code, to  
21 read:

22 99227. (a) The Regents of the University of California are  
23 requested to jointly develop with the Trustees of California State  
24 University and the independent colleges and universities a plan  
25 that demonstrates to the Legislature that each of the professional  
26 development programs established by this article provide ongoing  
27 professional development training and that the training programs  
28 are fully integrated into the professional development plan for  
29 school districts and teachers.

30 (b) An analysis or summary of the plan required pursuant to this  
31 section shall be included in the independent evaluation reported to  
32 the Legislature pursuant to Section 99225.5.

33 SEC. 16. The act adding this section shall become operative  
34 only if Senate Bill ~~No.~~ 33, Senate Bill ~~No.~~ 204, Senate Bill ~~No.~~  
35 466, and Senate Bill ~~No.~~ 1020 of the 2001–02 Regular Session are  
36 enacted.

